



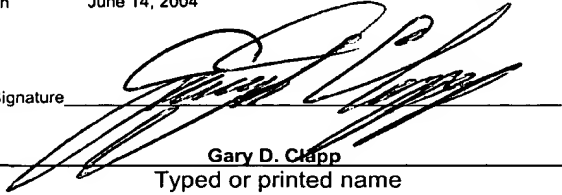
**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

ALTAWO P01AUS

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450" on June 14, 2004

Signature


Gary D. Clapp
Typed or printed name

In re Application of

Ralf L. BECK and Michael W. ROMANCHUK

Application Number
09/879,838

Filed
June 12, 2001

For

SOFTWARE INSTRUMENTATION METHOD AND APPARATUS

Art Unit
2122

Examiner
Satish Rampuria

I am the

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1) [1401]) \$500

☐ Applicant claims small entity status. See 37 CFR 41.20 (b)(1). [2401] Therefore, the fee shown above is reduced by half, and the resulting fee is:

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment Deposit Account No. **04-0213**. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

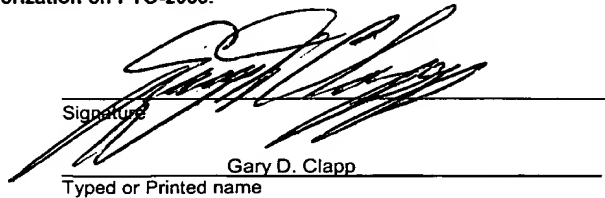
☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒ attorney or agent of record.
Registration No. **29,055**

☐ attorney or agent acting under 37 CFR 1.34 (a)
Registration No. if acting under 37 CFR 1.34(a) **29,055**

Signature


Gary D. Clapp
Typed or Printed name

603-624-9220
Telephone number

March 23, 2005
Date
Customer No. **020210**

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

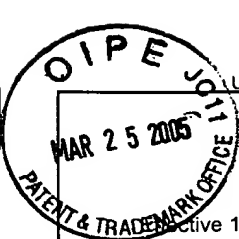
☐ *Total of forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. § 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

03/28/2005 HALI11 00000037 09879838

01 FC:1401 500.00 OP



FEE TRANSMITTAL

for FY 2005

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT: \$ 500⁵⁰

Complete if Known

Application No.
Filing Date
First Named Inventor
Examiner Name
Group Art Unit09/879,838
June 12, 2001
Ralf L. BECK
Satish Rampuria
2122

Attorney Docket No.

ALTAWO P01AUS

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number: 04-0213

Deposit Account Name: DAVIS & BUJOLD, P.L.L.C.

The Director is authorized to: (check all that apply)

- ☐
- Charge fee(s) indicated below
- ☒
- Credit any overpayments
-
- ☐
- Charge any additional fee(s) during the pendency of this application
-
- ☐
- Charge fee(s) indicated below, except for the filing fee to the above-identified account.

FEE CALCULATION

| 1. FILING FEE | Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|---------------|----------------|-----------------|----------------|-----------------|------------------------|----------|
| | 1011 | 1000 | 2011 | 500 | Utility filing fee | |
| | 1012 | 430 | 2012 | 215 | Design filing fee | |
| | 1013 | 660 | 2013 | 330 | Plant filing fee | |
| | 1014 | 1400 | 2014 | 700 | Reissue filing fee | |
| | 1005 | 200 | 2005 | 100 | Provisional filing fee | |
| SUBTOTAL (1) | | | | | | \$ |

| 2. CLAIMS | Extra | Fee From Below | Fee Paid |
|--------------------|-------|-----------------|----------|
| Total Claims -20* | = | \$ 50 (\$ 25) x | = |
| Ind. Claims - 3 | = | \$200 (\$100) x | = |
| Multiple Dependent | = | \$360 (\$180) x | = |

** or number previously paid, if greater; For Reissues, see below

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description |
|----------------|-----------------|----------------|-----------------|---|
| 1202 | 50 | 2202 | 25 | Claims in excess of 20 |
| 1201 | 200 | 2201 | 100 | Independent claims in excess of 3 |
| 1203 | 360 | 2203 | 180 | Multiple dependent claim |
| 1204 | 200 | 2204 | 100 | **Reissue independent claims over original patent |
| 1205 | 50 | 2205 | 25 | **Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) | | | | \$ |

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------|-----------------|----------------|-----------------|---|----------|
| 1051 | 130 | 2051 | 65 | Surcharge-late filing fee/oath | |
| 1052 | 50 | 2052 | 25 | Surcharge-late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for re-examination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 120 | 2251 | 60 | Ext.for reply w/in 1 mon | |
| 1252 | 450 | 2252 | 225 | Ext.for reply w/in 2 mon | |
| 1253 | 1,020 | 2253 | 510 | Ext.for reply w/in 3 mon | |
| 1254 | 1,590 | 2254 | 795 | Ext.for reply w/in 4 mon | |
| 1255 | 2,160 | 2255 | 1,080 | Ext.for reply w/in 5 mon | |
| 1401 | 500 | 2401 | 250 | Notice of Appeal | \$500 |
| 1402 | 500 | 2402 | 250 | Filing a Brief in support of an appeal | |
| 1403 | 1,000 | 2403 | 500 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 500 | 2452 | 250 | Petition to revive - unavoidable | |
| 1453 | 1,500 | 2453 | 750 | Petition to revive - unintentional | |
| 1501 | 1,400 | 2501 | 700 | Utility issue fee (for reissue) | |
| 1502 | 800 | 2502 | 400 | Design issue fee | |
| 1503 | 1,100 | 2503 | 550 | Plant issue fee | |
| 1807 | 50 | 1807 | 50 | Petition related to provisional applns. | |
| 1806 | 180 | 1806 | 180 | Submission of Info.Disclo.Stmt. | |
| 8021 | 40 | 8021 | 40 | Recording ea. patent assignment per property (times No.of properties) | |
| 1809 | 790 | 2809 | 395 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 790 | 2810 | 395 | For ea.additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 790 | 2801 | 395 | Request for Cont.Exam.(RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design appln | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)\$500

SUBMITTED BY

Completed (if applicable)

| | | | | | |
|-----------------------|-------------------------|-------------------|---------|-----------|----------------|
| Typed or Printed Name | Gary D. Clapp | Registration No. | 29,055 | Telephone | (603) 624-9220 |
| | CUSTOMER NUMBER: 020210 | Deposit Acct. No. | 04-0213 | Fax: | (603) 624-9229 |
| Signature | | | | Date: | March 23, 2005 |